

REMARKS

Claims 13 and 52-66 are pending in the application. Claims 13, 60, and 63 have been amended. No new matter has been added. The amendments are made to present the rejected claims in better form for consideration on appeal, and are not believed to require further search. Applicants therefore request entry of the amendments under 37 C.F.R. § 1.116.

Applicants request return of the initialed Form 1449 that accompanied the information disclosure statement submitted on September 13, 2002. For the examiner's convenience a copy of the Form 1449 is enclosed.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 63-66 are rejected for lack of enablement. Claim 63, from which claims 64-66 depend, has been amended to require that the recited antibody binds specifically to an epitope in the amino acid sequence of SEQ ID NO: 2. Applicants note that this feature appears in claim 13, which was not rejected for lack of enablement. Applicants submit that one of ordinary skill in the art would be able to readily practice the full breadth of the invention now claimed. Accordingly, reconsideration and withdrawal of this rejection is requested.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 13 and 52-66 are rejected as being indefinite for reciting the term “TNF-R1-DD ligand protein.” Claims 13, 60, and 63, from which the remaining claims subject to the rejection depend, have been amended to remove this language, therefore rendering this aspect of the rejection moot.

Claim 62 is further rejected for lack of proper antecedent basis. This claim has been amended to specify that the claimed pharmaceutical composition includes the antibody of claim 60. This rejection may therefore be withdrawn.

Rejection under 35 U.S.C. § 102(b)

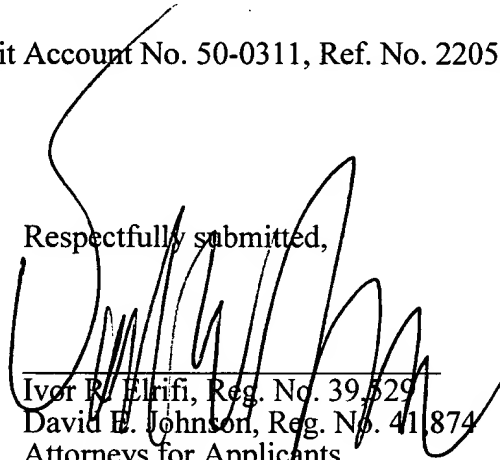
Claims 63-66 are rejected as being anticipated by Hoop et al., (US Patent No. 5,011,912; “Hoop”). The rejection is traversed to the extent it is applied to the claims as amended.

Amended claim 63, from which claims 64-66 depend, is now directed to an antibody that binds to an epitope in the amino acid sequence of SEQ ID NO:2. Hoop does not teach or describe an antibody with this feature, and therefore fails to disclose the claimed subject matter. Reconsideration and withdrawal of this rejection is requested.

Applicants submit that the application is in condition for allowance, and such action is requested. A petition for extension of time and a Notice of Appeal accompany this Amendment. The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 22058-560CIP4DIV3CON.

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Respectfully submitted,



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